METROPOLITAN AIRPORTS COMMISSION

PUBLIC HEARING

RE:

DRAFT FLYING CLOUD AIRPORT (FCM)

ZONING ORDINANCE

ORIGINAL

HELD ON

FEBRUARY 27, 2018

6:00 p.m.

EDEN PRAIRIE CITY HALL COUNCIL CHAMBERS

8080 MITCHELL ROAD, EDEN PRAIRIE, MINNESOTA

REPORTED BY: CAITLIN J. ALBRECHT
APPEARANCES

FLYING CLOUD AIRPORT

JOINT AIRPORT ZONING BOARD MEMBERS:

Brad Aho, JAZB Chair
Kate Aanenson, Chanhassen
Keith Tschohl, Eden Prairie
Julie Klima, Eden Prairie
Michael Beard, Shakopee
Eric Weiss, Shakopee
Rick King, Metropolitan Airports Commission
Katie Clark Sieben, Metropolitan Airports Commission

METROPOLITAN AIRPORTS COMMISSION STAFF:

Bridget Rief, Vice President - Planning & Development
Neil Ralston, Airport Planner
Evan Wilson, Senior Attorney
Shelly Cambridge, Board Secretary
CHAIR AHO: I'll call the meeting to order, then. My name is Brad Aho and I am the chair of the Flying Cloud Airport Joint Airport Zoning Board, and I welcome all of you to tonight's meeting. This is a public meeting, and it's a public hearing on the proposed airport zoning ordinance.

Board members, why don't we go around and introduce ourselves. We'll start down here with Katie.

MS. SIEBEN: I'm Katie Clark Sieben. Do I need to --

CHAIR AHO: So make sure that your microphone says live and that's green.

MS. SIEBEN: Thank you.

Katie Clark Sieben with Metropolitan Airports Commission.

MR. WEISS: Eric Weiss, long-range planner, City of Shakopee.

MR. BEARD: I'm Mike Beard, Scott County Commissioner. I'm here representing Shakopee this evening.

CHAIR AHO: So I serve on the city council in Eden Prairie and am currently chair.

MR. KING: Rick King. I'm on the Metropolitan Airports Commission, and my area includes Eden Prairie, and I live here.
MR. TSCHOHL: I'm Keith Tschohl. I'm chair of the Flying Cloud Airport Advisory Commission for the City of Eden Prairie.

MS. KLIMA: I'm Julie Klima. I'm the city planner for the City of Eden Prairie.

MS. AANENSON: Kate Aanenson. I'm the community development director for the City of Chanhassen.

MS. RIEF: And I am Bridget Rief with the Metropolitan Airports Commission. I am the staff liaison at the airport.

CHAIR AHO: Great. Well, thank you, all.

So the structure of the Board meeting and the public hearing is going to be as follows this evening:

So, first, we're going to have -- Neil Ralston, who is the planner for the Metropolitan Airports Commission, is going to provide an overview of the Flying Cloud Airport Zoning Ordinance.

Second, we're going to have exhibits for the hearing entered into the record starting at 6:30.

And, third, the Board will take testimony from the public on the proposed Flying Cloud Airport Zoning Ordinance. So if anyone has a prepared statement or document, you may read it into the record or submit it or both, and we'll make it part of the record. And the
Board just asks that you limit your statement to no more than 5 minutes so that everyone gets a chance to speak. I don't think it's going to be a problem tonight. But if you wish to testify, please fill out a speaker card and hand it to the Board secretary, Ms. Shelly Cambridge.

And, Shelly, do you want to stand so everyone can see? Is she -- where is she?

MS. RIEF: She's in the back, standing by the table.

CHAIR AHO: She's in the back. Okay.

All right. So if you have any questions, go back there and fill out a card, please. And -- let's see.

So this is a public hearing about zoning and not about airport noise -- I just want to make that very clear so that everyone understands why we're here tonight -- and adoption of the zoning ordinance will not alter the number, frequency, or noise level of traffic at the airport. Any zoning ordinance would affect the land use surrounding the airport.

And we will have a -- we have a court reporter here tonight who is going to take notes on all the proceedings. Other than that, the meeting is not televised, nor is it recorded.
So, Mr. Ralston, will you take it away, please, and give us the presentation.

MR. RALSTON: Thank you, Chair Aho. And good evening, everyone. Thank you for taking the time to join us tonight.

As I said, my name's Neil Ralston. I'm the airport planner for the airport's commission. Can everybody hear me okay? Excellent.

CHAIR AHO: Those microphones should work. Just make sure that they're on.

MR. RALSTON: Yeah, I think we're good.

CHAIR AHO: Okay. Good.

MR. RALSTON: Excellent.

I'm here tonight to give a brief overview of the draft airport zoning ordinance that is being developed for Flying Cloud Airport. I'm going to begin with presenting the purpose and goals for the Joint Airport Zoning Board, along with the timeline of this Board's activity going back to 2009.

Then I'll move into a summary of the draft airport zoning ordinance itself.

And finally, we'll talk about the next steps in the process to advance the draft ordinance towards approval and final adoption.

Before going any further, however, I'd like to
define a few of the terms and acronyms that I'll be using tonight both in my presentation and that you'll see on the slides.

First, the three letters "FCM" refer to Flying Cloud Airport. That is the official airport identifier that pilots use when they're flying into the airport.

Second, the term "JAZB," which I'll pronounce as JAZB (pronounced JAZZ-bee), that refers -- that's the shorthand version of Joint Airport Zoning Board.

Next, "MnDOT" refers to the Minnesota Department of Transportation, Office of Aeronautics.

And finally, "FAA" is used to reference the Federal Aviation Administration.

So why is it important for the JAZB to pursue airport zoning for Flying Cloud Airport now? First, and perhaps foremost, zoning remains a requirement of state law. MnDOT's expectation is that the JAZB will successfully develop zoning for the airport in order to avoid potential airport improvement grant funding implications.

Second, the pace of development around Flying Cloud Airport is only increasing, and the lack of an adopted airport zoning ordinance is creating uncertainty and some level of confusion about possible land use controls in the area of the airport.
Third, the Metropolitan Airports Commission would like to continue to pursue non-aeronautical commercial use of some airport parcels of land that are within the designated safety zones. Uncertainty regarding zoning is holding up the approval process for these parcels, and that's a hurdle that we'd like to remove.

Last but not least, it is time to finish what was started back in 2009, to provide a level of certainty to all stakeholders about airport zoning requirements around the airport.

So at a high level, this group, the JAZB's purpose, is to collaboratively develop an airport zoning ordinance that achieves a balance between providing for a reasonable level of public safety while allowing for compatible community development to occur. To achieve this, Minnesota state statutes provide guidance to consider the social and economic cost of restricting land uses versus the benefits that would be derived from a strict application of the state's model airport zoning ordinance. The state's model zoning ordinance is a template provided by MnDOT that provides a common approach to developing zoning for all airports in Minnesota.

The overarching goal for this JAZB is to
develop an airport zoning ordinance for review and approval by the MnDOT Commissioner of Transportation that would subsequently be adopted by the Board, and then by local communities.

Supporting goals for this JAZB include updating the relevant sections of the draft ordinance to reflect current conditions and trends, and to ensure that an appropriate level of stakeholder and community engagement occurs. Tonight's hearing, of course, is an important step in achieving that goal.

Next, I'd like to take a quick trip down memory lane to help provide some context for where we are headed next. This Joint Airport Zoning Board was stood up back in 2009 and first met in July of that year. By April of 2010, the group had done a lot of heavy lifting and developed a draft airport zoning ordinance that was ready for public review.

A public hearing, much like this one, for the ordinance was held on April 29th of 2010. The draft airport zoning ordinance was then finalized and submitted to the MnDOT Commissioner of Transportation for review and action in December 2010. However, in early 2011, MAC requested on behalf of the JAZB that MnDOT temporarily suspend review of the draft ordinance due to legal uncertainties surrounding airport
zoning-related litigation that was pending in the state at the time.

Fast-forwarding to 2016, that litigation had been settled, and it was becoming increasingly apparent that there was a need to move forward with completing the zoning effort due to the pace of development activity around the airport. Based on coordination with MnDOT, it was determined that too much time had passed just to pick up where we had left off in early 2011 without reconvening the Board and reengaging with stakeholders.

To accomplish this, the first meeting of the reconvened Joint Airport Zoning Board was held in September of 2017. Between then and now, the JAZB has been working to update the draft airport zoning ordinance and supporting studies, which include a safety/risk study and an economic impact analysis. These updates validate the original JAZB recommendations pertaining to the major elements of the proposed zoning ordinance, so only minor updates are being proposed at this time, and we'll go through what those are here in a few moments.

At its meeting a few weeks ago on January 18th, the JAZB formally approved an updated version of the zoning ordinance for formal public review and comment,
and that is serving as the basis for this public hearing tonight.

So moving into the ordinance itself. This slide shows the airfield configuration that served as the basis for the updated draft ordinance. Runway 18-36, which is the north-south crosswind runway -- if you can see the cursor moving here -- was incorporated into the ordinance at its current length of 2,691 feet. In the previous version of the ordinance, this runway was shown to be extended to a slightly longer length.

Meanwhile, the north parallel runway 10L-28R here was incorporated as a utility category runway, whereas in the previous ordinance, it had a different designation. The distinction between the designations has to do with the types and the weights of aircraft that use the runway on a regular basis. Since the north parallel runway does not accommodate a lot of larger, heavier aircraft types, the utility runway designation is appropriate. The length, width, and operational characteristics of the north parallel runway are not affected by the change.

From a zoning and land use perspective, the change results in a smaller protection zone at the end of the north parallel runway -- at each end of the north parallel runway. From an airspace and height
limitation perspective, it also results in a steeper or less restrictive approach surface slope. As noted on the slide, these configuration changes from the 2010 draft ordinance result in less restrictive zoning areas.

The draft airport zoning ordinance continues to have two primary components: Height limitations and land use limitations. We'll cover both, starting with the height limitations item.

The draft zoning ordinance establishes an airspace zone to limit the height of structures and vegetation out to approximately 2 miles to the west of the airport and out to approximately 1 1/2 miles around the airport and other areas. The airspace zone heights are based on the FAA's airspace criteria.

If a proposed development seeks to penetrate the height limitations stipulated by an airspace zone, a variance will have to be granted for that penetration by a Board of Adjustment. The Board of Adjustment is proposed to be comprised of members of the Metropolitan Airports Commission.

The ordinance does provide for an exception from seeking a variance for an airspace surface penetration. If the applicant submits an aeronautical study review case to the FAA and the FAA determines
that the object penetrating the surface would not be a hazard to air navigation and would not require changes to airport operations, and the proponent complies with any conditions included in the FAA's determination, then no variance would be required.

Now, the draft ordinance includes a set of grid maps that show the airspace zone heights in 10-foot intervals for areas surrounding the airport. As an example, what's on the slide shows grid location C3, which is on the northwest side of the airport. Just for orientation purposes, each of the graphics in the zoning ordinance has an index at the bottom that shows the geographic grid of the spreads -- geographic spread of the grids -- I'm sorry -- each of which has its own grid map in the document. The heights on these grid maps are expressed as above mean sea level, not above ground level, so to calculate the height above the ground of this airspace zone, one must subtract the ground elevation from the airspace elevation.

To provide more specificity and perhaps clarity on the allowable heights for each parcel, we have created another set of grid maps called "Maximum Construction Heights Without Permit." These maps establish a height per parcel up to which an airport zoning permit is not needed.
Now, as a point of clarification, an airport zoning permit is different than a variance issued by the Board of Adjustment. For example, if a proposed development does not exceed the maximum construction height without permit elevation, no zoning permit or variance is needed; however, an FAA airspace review may still be required. If a proposed development exceeds the maximum construction height without permit elevation, but does not penetrate an airspace zone, the applicant will need to obtain an airport zoning permit from the city zoning administrator, but not a variance.

The maximum construction heights without permit are intended to provide a buffer below the airspace surfaces -- I'm sorry -- the airspace zones, and we think it's prudent for the city zoning professionals to review proposed developments that are getting close to penetrating the airspace zones. If a proposed development exceeds both the maximum construction height without permit elevation and penetrates the airspace zone, then both an airport zoning permit and a variance would be needed.

The draft ordinance also contains a series of grid maps showing the maximum construction heights without a permit that have been calculated for each parcel within the zoning area. This example continues
to use the grid section C3, again, on the northwest side of the airport. Each of the heights shown is expressed as above ground level, making it easier to interpret views in the previous airspace zone grid maps.

These heights were calculated by identifying the location of each parcel where the highest ground level was under the lowest airspace zone elevation. We then subtracted the ground elevation from the airspace height and then rounded it down to the nearest 10-foot interval. In the vast majority of cases, we found that the airport zoning height limitations would be less restrictive than the maximum structure heights allowed in municipal zoning codes.

Next we'll move on to the land use safety zones. The draft ordinance provides three safety zones, Zones A, B, and C. JAZB Safety Zone A is the most restrictive zone, and that's located immediately off the ends of the runways and prohibits structures and trees.

JAZB Safety Zone B is a less restrictive zone, located further off the runway ends, that contains prohibitions against certain land uses. Residential development is allowed in permanent residential areas within JAZB Safety Zone B.
JAZB Safety Zone C is the least restrictive zone and contains general land use restrictions against interfering with flight activity at Flying Cloud Airport.

Next, I'm going to go into a little more detail on each of those zones, starting with Zone C and then working back in towards Zone A.

JAZB Safety Zone C is shown by the black ellipsoid line on the slide. It's established by drawing radiuses of specified distances from the runway ends. Again, it is the least restrictive safety zone in that it calls for general prohibitions that would interfere with flight activity at Flying Cloud Airport.

Even though the language here may seem a bit technical, the uses prohibited in Zone C are generally commonsense items that the vast majority of people wouldn't partake in anyway. For example, use of a high-powered radio transmitter that would interfere with navigational aids at the airport or would interfere with communications between aircraft and air traffic controllers would be a use that we would be trying to prevent. Another example of an undesirable use would be bright uplighting, like searchlights or lasers pointed into the sky that could blind pilots.

We did receive a question via e-mail from an
area resident asking if we were seeking to prohibit the
use of rooftop solar panels on homes within Zone C due
to glare concerns. In response, we want to clarify
that the draft ordinance does not seek to prohibit
residential solar installations. If a particular solar
installation is determined to cause glare issues for
pilots, using the airport, we would want to work with
that property owner to mitigate to the extent practical
that visual impairment. However, based on operational
experience, the likelihood of a typical residential
rooftop solar installation to cause a glare problem is
expected to be a very rare occasion.

In the event that a property owner wishes to be
proactive about the potential of glare concerns from a
specific solar installation, there is an option of
submitting an airspace review case to the appropriate
agencies to take a look at it in advance.

And finally, the land use controls established
for JAZB Zone C apply to the other two JAZB safety
zones as well.

Next, we'll move inward to Safety Zone B, which
is shown on this graphic as green trapezoids. JAZB
Safety Zone B is more restrictive than C but less
restrictive than A. It prohibits certain land uses,
such as amphitheaters and theaters, churches,
hospitals, nursing homes, schools, stadiums, and
wildlife attractants, particularly those attractants
that would attract waterfowl like the Canada goose.

The length and outer width of the proposed JAZB
Safety Zone B is based on MnDOT's state model zone
dimensions; however, the draft JAZB ordinance is
proposing less stringent land use controls than those
prescribed by MnDOT's state model. For example, JAZB
Safety Zone B does not prescribe a minimum parcel size
for development, nor does it limit site populations
based on site acreage. These limitations were relaxed
in the JAZB ordinance based on the results of a
detailed safety/risk study and economic impact analysis
that were specific to the conditions at Flying Cloud
Airport.

As another feature, the proposed JAZB Safety
Zone B allows for the improvement, expansion of
existing, and development of new residential uses in
areas guided for residential development and designated
in the ordinance as permitted residential areas. These
permitted residential areas, as shown with green
shading on this slide, are recognized and treated as
conforming land uses in the draft ordinance.

Finally, JAZB Safety Zone B contains a
requirement to provide a minimum of 20 percent of the
total Zone B acreage or 20 acres, whichever is greater, to remain as continuous open space. The purpose for the open space is to provide an extra margin of safety by providing a large area for the pilot of a disabled aircraft to be able to make an emergency landing, should that be needed. The open space requirement applies to the totality of the proposed JAZB Safety Zone B area and does not apply to each parcel within the zone.

As shown on the yellow shading on the slide, the Zone B open space requirement is easily met by existing airport-owned land, along with other off-airport property guided to remain as open space or otherwise not expected to be regularly occupied.

Lastly, JAZB Safety Zone A is shown by the blue trapezoid on the slide. As mentioned before, it's the most restrictive safety zone, that structures are prohibited unless needed for aviation purposes.

JAZB Safety Zone A is the same shape and size as the FAA-defined runway protection zone, or RPZ, off the ends of each runway. The runway protection zone has very similar land use restrictions mandated by the FAA, so it makes sense to pair the RPZ and Safety Zone A together.

The joint runway protection zone in Safety
Zone A are smaller than the Zone A prescribed in MnDOT's state model. Again, the results of the detailed safety/risk study and economic impact analysis suggests that the draft JAZB ordinance provides the reasonable level of safety that we are seeking.

Regarding the actual ordinance itself, we reviewed the draft language from 2010 to see if any elements needed to be updated. We did make a few minor text updates, primarily to update the zone descriptions and dimensions that changed the airfield configuration items that we previously discussed.

We also made a few other minor edits, such as removing the City of Bloomington from the list of JAZB participants since the proposed zoning surfaces do not extend into the municipal boundary, and also clarified a few items related to airspace evaluations and judicial review procedures. Other than these minor edits and clarifications, there were no substantial differences between the draft ordinance moving forward now and the one that moved forward back in 2010. We do have a track-changed version of the draft ordinance language available, so anyone interested to see the exact edits that have been made to the previous version of the ordinance can see them.

Which brings us to the next steps for the
process. This public comment period is open until Wednesday, March 14th. If you would like to provide written comments beyond any verbal testimony that you make here tonight, you can either fill out a comment form before you leave -- and Shelly in the back can point you to those if you're interested in that -- you can mail comments to us at the address in the notice or on the slide, or you can send them via e-mail as well. The e-mail address is in the notice for your use.

After the public comment period closes, the JAZB will review all testimony and comments submitted, then it will schedule its next meeting to discuss any proposed changes to the draft ordinance based on public input and the timeline for submittal to MnDOT.

After submitting the draft ordinance to MnDOT, the Board will await their comments and then work to address any feedback items that they have. We do expect that MnDOT will provide comments relative to areas where the draft JAZB ordinance deviates from the state model, and we look forward to productive dialogue with them about the justifications for those deviations based on the robust technical work of this group.

After MnDOT approves the airport zoning ordinance, we will hold another public hearing to present the final version to interested community
members, then the JAZB will take action to formally
adopt the final ordinance, to be followed by formal
adoption and implementation by the participating
municipalities. We hope to finalize these steps yet
during 2018.

So, Chair Aho, that concludes my presentation,
but I would be happy for a few minutes to take
questions until the public hearing starts at 6:30, if
that would be something you would like to do.

CHAIR AHO: Yeah. So that gives about 5
minutes. So if anyone has questions, now would be a
good time, because during the public testimony, we're
really just receiving testimony. We're not here to
answer questions as part of this. We're just going to
read -- or hear the testimony and read it into the
record.

So if anyone has a question for Mr. Ralston,
now would be a great time to do that.

MR. TRAUGHBER: Hi. My name is Tom
Traughber. I live on Red Rock Lake, and I have a
federally licensed amateur radio station with a 60-foot
radio tower, and I do emit electronic emissions. It
seems like this --

(Interruption in proceedings.)

MR. TRAUGHBER: So I'm wondering, given
that my station has a federal license, how is this
Zone C going to impact my operation?

MR. RALSTON: Sir, it will not. If you
have a federal license and it doesn't have any -- your
activity does not have any adverse impact on flight
activity at the airport, which if you've been doing
this for a while, it sounds like --

MR. TRAUGHER: Twenty years.

MR. RALSTON: -- it hasn't, it's not going
to impact it.

MR. TRAUGHER: Thank you.

MR. RALSTON: You're welcome.

CHAIR AHO: Anyone else have any questions
that they'd like to ask?

MS. LANGSDORF: Does it affect any
cellular towers or radio station -- you know, us
getting service?

MR. RALSTON: No. No. I mean, we're
trying to protect against things that would interfere
with the use of the existing equipment on the airport
or the communications between pilots and air traffic
controllers, and, I mean, these things are all going on
today. So cell phones' frequencies tend to be on a
completely different frequency spectrum than aviation
frequencies. There's not going to be any changes. We
just want to be able to address any issues that come up with somebody using some very specialized equipment that would start having interference. It's highly unlikely to happen, but it's one of those things we want to protect against.

MS. LANGSDORF: Thank you.

MR. RALSTON: You're welcome.

CHAIR AHO: Any other questions?

(No response.)

CHAIR AHO: It looks like you did a great job and you've answered all the questions, and I think everyone is happy.

So at this time -- well, at 6:30, we've got 2 minutes left, then we'll start taking public testimony.

Mr. Beard.

MR. BEARD: Well, Mr. Chairman, as long as we're kind of running in place waiting for the clock to wind down ...

CHAIR AHO: Yep.

MR. BEARD: Neil, I'm interested in Safety Zone A. It's smaller than MnDOT's -- what MnDOT likes to see. Can you talk about how the commissioners are going to react to that, or have we had any experience with dealing with that? I've had some past experience
with that thousand-foot RPZ, they're pretty proud of
that, and we're asking, I think, for a variance from
that, if I'm not mistaken.

MR. RALSTON: Yeah, Commissioner, Board
members, we are proposing that the Safety Zone A in the
JAZB ordinance is a concurrent full size and shape with
the FAA's runway protection zone. We do have that in
place at MSP. That was part of the zoning ordinance at
the Minneapolis-St. Paul International Airport. We
believe that, you know, the FAA's criteria related to
the RPZ is very consistent with what MnDOT would have
in Zone A, and that it makes a lot of sense to pair
them together. We hope MnDOT agrees that it's
reasonable to make that correlation.

MR. BEARD: So, Mr. Chairman, then to be
clear, Neil, what you're proposing in this revised
zoning ordinance here comports with the FAA's
protection zone; MnDOT's is a little more expansive
than what the FAA is subscribing -- or prescribing?

MR. RALSTON: That's --

MR. BEARD: Okay.

MR. RALSTON: Sir, that is correct.

MR. BEARD: Thanks.

CHAIR AHO: Great. Thank you.

Any other questions from commissioners or
anyone in the audience?

    Go ahead, sir.

    MR. WINGERT: I have a question. I apologize, I was late.

    You know, when we had the Super Bowl here, we had planes everywhere in Flying Cloud and there was a lot of noise. Do you -- is this a proposal to expand the runways and have bigger aircraft?

    MR. RALSTON: No, sir. This has to do with -- the zoning ordinance has to do with land use and height restrictions around the airport to provide a balance between protecting pilots and people on the ground. It has nothing to do with expanding the airport.

    MR. WINGERT: Larger aircraft coming here?

    It has nothing to do with larger aircraft?

    MR. RALSTON: That is correct.

    MR. WINGERT: Okay.

    MR. RALSTON: This is purely to protect the existing infrastructure.

    MR. TSCHOHL: Mr. Chair?

    CHAIR AHO: Yes.

    MR. TSCHOHL: One more question. There were two questions from the public about radio transmitters, other sources of interference. Just for
the record, would anything licensed by the FCC not be affected by this? Is that your understanding?

MR. RALSTON: My understanding is anything licensed by the FCC would have that review built in to make sure that it would not interfere with aviation frequencies.

MR. TSCHOHL: Thank you.

CHAIR AHO: All right. Well, it is 6:30 now, so now I'd like to open the floor up to comments by the public.

So we'll now take public testimony. Again, speaker cards are located at the entrance to this room, so if you've not filled out a card but would like to speak, please raise your hand and a card will be brought to you. We will not be answering any more public questions tonight. Really, this is just about hearing from the public on the Joint Airport Zoning Board proposed zoning.

And so we are not going to be taking any action or making any recommendation tonight. All of the verbal and written comments will be taken into consideration before taking final action at a future meeting of the Joint Airport Zoning Board.

So a reminder to all of the JAZB members, tonight's hearing is primarily for the public to
provide comments. Once the hearing is complete and all comments are received, we, the JAZB members, will have our chance to review the public record and deliberate before voting. While the chair does not wish to discourage JAZB members' questions or discussion today, it might be better to hold them for a later meeting when we have the benefit of the full public record.

And again, the public record is open, as Mr. Neil said, until 5 p.m. on Wednesday, March 14th, 2018. So there's a few weeks for people to get their notes into the public record, and if you want to -- oh, entering -- so, yeah. Let's see here.

If you want to deliver materials, you may make it a part of the record. Deliver them to the Board secretary at the Metropolitan Airports Commission, which is located at 6040 28th Avenue South, Minneapolis, Minnesota 55450, or you may transmit them by e-mail to fcm.zoning@mspamc.org [sic]. And if you need that again, talk to someone and we'll get that for you.

But finally, the Board requests that the public testimony focus on the proposed Flying Cloud Airport Zoning Ordinance. And again, let me note that this is not a public hearing on airport noise.

So at this time I don't have any cards for
requested speakers. I see we do have some back in the back. Would you mind bringing those forward, and then I will call the people forward as --

MS. CAMBRIDGE: These are blanks.

MR. RALSTON: Mr. Chair, while we're doing that, I have a couple exhibits I'd like to enter into the formal public meeting record, if that would be okay.

CHAIR AHO: Okay. Oh, I see.

I'm sorry, say that again.

MR. RALSTON: I have a couple exhibits that I'd like to enter into the public record before we go into public testimony, so --

CHAIR AHO: Yes, I see that. I skipped that part. I apologize.

MR. RALSTON: It's okay. Not to worry.

CHAIR AHO: So, yes, please -- at this time, Mr. Ralston, please proceed with entering those into the public record.

MR. RALSTON: All right. Thank you, Chair Aho.

Notice of this public hearing was published in several places: First of all, the Star Tribune newspaper on February 12th and February 19th, 2018; it was published in the Eden Prairie News newspaper on
February 15th; and in the State Register on February 12th. In addition, notices were mailed to the governing boards of the JAZB members' cities, Hennepin and Scott Counties, to property owners within approximately 1 mile of the Flying Cloud Airport boundary as determined by the City of Eden Prairie, and distributed electronically to persons subscribing to the Metropolitan Airports Commission GovDelivery news service.

Notice was also posted on the Flying Cloud Airport JAZB page of the MAC website. The notice and proposed Flying Cloud Airport Zoning Ordinance were made available for public inspection at the following locations: The Metropolitan Airports Commission main office, the city halls of the cities of Eden Prairie, Shakopee, and Chanhassen, and at the Eden Prairie Library.

The following exhibits that are part of the public hearing record at this point in time will be entered into the formal record.

First is Exhibit A, which is the Draft Flying Cloud Airport Zoning Ordinance that's dated January 18th, 2018.

Exhibit B is the Draft Flying Cloud Airport Zoning Ordinance Technical Report, dated January 18th,

Exhibit C is the public presentation that I made this evening here at the public hearing.

Exhibit D is the notice of public comment period and public hearing for the Draft Flying Cloud Airport Zoning Ordinance. That's the letter that most of you should have received in the mail.

Exhibit E is the affidavits of publication on the public notice -- of the public notice in the Star Tribune, Eden Prairie News, and State Register, dated February 23rd, February 21st, and February 12th, 2018, respectively.

Exhibit F is the affidavit of mailing of the public notice, dated February 12th, 2018.

Exhibit G is the affidavit of web posting of the public notice, dated February 26th, 2018.

Exhibit H is the affidavit of GovDelivery distribution of the public notice, dated February 26th, 2018.

And last but certainly not least, Exhibit I is the Flying Cloud Airport Joint Airport Zoning Board record for the meeting held on January 18th, 2018.

CHAIR AHO: All right. Thank you, Mr. Ralston, for reading that into the record. Sorry I missed you the first time.
Okay. Now we are open to comments by the public. So is there anyone that wishes to speak and make comments on the proposed Flying Cloud Airport Zoning Ordinance?

(No response.)

CHAIR AHO: And again, if you don't want to make them tonight formally at this meeting, you have until March 14th to do so, and that can be through e-mail, and the e-mail address was in the presentation. What I read just a moment ago was incorrect. It should be fcm.zoning@mspmac.org, mspmac.org. So that's the correct e-mail address. So if anyone wants to -- wishes to do that, you can do it by e-mail or you can do it by mailing it in or stopping in at the commission.

So is there any -- I'll give you another opportunity. Anyone that wishes to make public comment on the proposed zoning?

(No response.)

CHAIR AHO: All right. I'll ask one more time. Any further comments? Anyone like to make any comments?

(No response.)

CHAIR AHO: Seeing none, I will close the public hearing, and I'd like to remind everyone that
the hearing record will remain open until 5 p.m.,
Wednesday, March 14th, 2018. You may mail or deliver
the materials that you wish to make a part of the
record to the Board secretary at the Metropolitan
Airports Commission, located at 6040 28th Avenue South,
Minneapolis, Minnesota 55450, or you may transmit them
by e-mail to fcm.zoning@mspmac.org.

Under state law, there's a number of additional
steps that must take place prior to the adoption of a
zoning ordinance, and Mr. Ralston went over those steps
just previously. After the close of the comment
period, this JAZB Board will meet again and we will
review those public comments and decide whether to make
any changes to this draft zoning airport -- airport
zoning ordinance.

This ordinance would then be submitted to the
commissioner for the Minnesota Department of
Transportation for review and approval. After the
commissioner's review, the JAZB will hold a second
public hearing and submit the proposed ordinance to the
Commissioner of Transportation a second time prior to
adopting a zoning ordinance at the subsequent meeting.

So I'd like to just take this opportunity to
thank everyone for your attention, thank you for coming
out and participating, and we appreciate the interest
in our airport and the zoning around it.

So thank you for attending, and the public
hearing is now closed, and the meeting of the Joint
Airport Zoning Board is adjourned.

Thank you.

(Proceedings concluded at 6:40 p.m.)
REPORTER'S CERTIFICATE

I, Caitlin J. Albrecht, Notary Public of and for the State of Minnesota, do hereby certify that the foregoing pages of typewritten material constitutes an accurate verbatim stenographic record taken by me of the Arbitration Proceedings aforementioned on the 27th day of February, 2018, at the times and place specified.

DATED: March 8, 2018.

Caitlin J. Albrecht